

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JEREMY SCHUH,

Plaintiff,

v.

Case Number 20-10468

Honorable David M. Lawson

Magistrate Judge R. Steven Whalen

JERRY CLAYTON, MARK PTASZEK,  
MICHELLE BILLARD, ERIC KUNATH,  
MICHELLE BROWN, KATRINA  
ROBINSON, LIEUTENANT  
SCHIAPPACASSE, SERGEANT CLIFTON,  
RICHARD WILLIAMS, III, SERGEANT  
FLINT, SERGEANT BURRIS, BRANDON  
ROBERTS, DEPUTY FENDT, ERIN  
CLARK, SERGEANT JUSTICE, CARRIE  
A. ENGLE, DEPUTY VALDIVIDA,  
JOHN MORARIA, DIRECTOR OF FOOD  
SERVICE, DEPUTY KOHLENBERG,  
DEPUTY DEA, and DEPUTY LE,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND  
DENYING PLAINTIFF'S MOTION FOR DEFAULT JUDGMENT**

Presently before the Court is the report issued on March 25, 2021 by Magistrate Judge R. Steven Whalen pursuant to 28 U.S.C. § 636(b), recommending that the Court deny the plaintiff's motion for entry of a default judgment against certain defendants. The deadline for filing objections to the report has passed, and no objections have been filed. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 88) is **ADOPTED**, and the plaintiff's motion for default judgment (ECF No. 61) is **DENIED**. The referral to the assigned magistrate judge is continued under the previously issued order of reference for all pretrial proceedings.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: May 6, 2021